

**SUSAN WILLIAMS SCANN, ESQ.**  
**Nevada Bar No. 000776**  
**DEANER, DEANER, SCANN,**  
**MALAN & LARSEN**  
**720 South Fourth Street, Suite #300**  
**Las Vegas, Nevada 89101**  
**(702) 382-6911**  
**Attorneys for Plaintiff Binford Medical Developers, LLC**

UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF NEVADA

In re:  
 USA COMMERCIAL MORTGAGE  
 COMPANY,

Debtor

In re:  
 USA CAPITAL REALTY ADVISORS, LLC.

Debtor

In re:  
 USA CAPITAL DIVERSIFIED TRUST  
 DEED FUND, LLC.

Debtor

In re:  
 USA CAPITAL FIRST TRUST  
 DEED FUND, LLC.

Debtor

In re:  
 USA SECURITIES, LLC.

Debtor

**BINFORD MEDICAL DEVELOPERS,**  
**LLC, an Indiana Limited Liability**  
**Company,**

Plaintiff,

vs.

USA COMMERCIAL MORTGAGE  
 COMPANY and FIDELITY NATIONAL  
 TITLE GROUP

Defendants

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR  
 Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

Chapter 11  
 Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

Adversary No. 06-01212

Date of Hearing:  
 Time of Hearing:

Affects:

- ☐ USA Commercial Mortgage Company  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC  
☐ USA Realty Advisors, LLC  
☒ All Debtors

**EX PARTE MOTION FOR ORDER**  
**SHORTENING TIME TO HEAR**  
**MOTION TO WITHDRAW**

COMES NOW, SUSAN WILLIAMS SCANN, ESQ. of the law firm of DEANER,  
 DEANER, SCANN, MALAN & LARSEN, DEANER, DEANER, SCANN, MALAN & LARSEN,  
 ("Deaner Firm") and hereby moves this Court for an Order Shortening Time for the hearing on the

1 the Deaner Firm's Motion to Withdraw filed \_\_\_\_\_, \_\_\_\_\_, 2009. The next Omnibus hearing  
2 date for USACM is August 21, 2009 at 9:30 a.m.

3 This Motion is based upon Bankruptcy Rule 9006(c)(1) and LR 9006(a), the Affidavit of  
4 counsel for Binford attached hereto, and upon the pleadings and records on file herein. A copy of the  
5 Motion to Withdraw is attached hereto.

6 DATED this 3rd day of Aug., 2009.

7 Respectfully Submitted,

8 DEANER, DEANER, SCANN,  
9 MALAN & LARSEN

10 By

  
11 SUSAN WILLIAMS SCANN, ESQ.

12 Nevada Bar No. 000776

13 720 South Fourth Street, Suite 300

14 Las Vegas, Nevada 89101

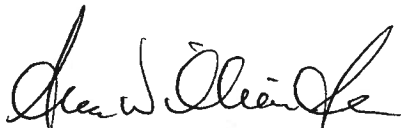
15 Attorney for Binford Medical Developers, LLC  
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**AFFIDAVIT IN SUPPORT OF EX PARTE  
APPLICATION FOR ORDER SHORTENING TIME**

STATE OF NEVADA            )  
  ) ss:  
COUNTY OF CLARK         )

SUSAN WILLIAMS SCANN, being first duly sworn, deposes and says:

1. I am an attorney with the law firm of DEANER, DEANER, SCANN, MALAN & LARSEN, and licensed to practice law in the State of Nevada.
2. DEANER, DEANER, SCANN, MALAN & LARSEN are counsel for Binford.
3. An Order Shortening Time is requested so that the Motion to Withdraw can be heard on the same date as the next Omnibus Hearing scheduled for August 21, 2009 at 9:30 a.m.
4. Accordingly, it is necessary for Plaintiff to have this Motion heard by Order Shortening Time.

  
\_\_\_\_\_  
SUSAN WILLIAMS SCANN

SUBSCRIBED AND SWORN TO before me  
this ~~3<sup>rd</sup>~~ day of August, 2009.

  
\_\_\_\_\_  
NOTARY PUBLIC in and for said  
County and State

